

Patent  
Docket No. 237/117US  
OI7011522001

**Certificate of Mailing/Transmission (37 C.F.R. § 1.10):**

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" (Express Mail Label No. EV348154738US under 37 CFR § 1.10 on the date indicated and is addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 28, 2006

Name of Person Certifying: Cynthia Dawn

Printed Name: Cynthia Dawn

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Wei Ming Hu, Juan R. Loaiza

Assignee: Oracle Corporation

Filing Date: December 30, 1998

Application No.: 09/223,660

Title: Method and System for Diagnostic Preservation of the State of a Computer System

Examiner: Tim T. Vo

Group Art Unit: 1277

**DECLARATION OF GERALD CHAN IN SUPPORT OF RENEWED PETITION TO  
WITHDRAW HOLDING OF ABANDONMENT NO FEE REQUIRED PURSUANT TO  
37 C.F.R. §1.137(a)**

Please deliver to Paul Shanoski  
C/O Office of Petitions  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Gerald Chan, declare and state as follows:

1. I am an associate with Bingham McCutchen LLP and a registered patent attorney.
2. I am the attorney of record responsible for filing and prosecution of the above identified patent application, entitled "Method and System for Diagnostic Preservation of the State of a Computer System," Application Serial No. 09/223,660.
3. A search of the prosecution file and docket records of the above-identified application have been conducted.
4. After careful review of the file jacket and docket records, attached herewith as Exhibit A, for Application No. 09/223,660, I believe that the Notice of Allowance and Issue Fee Due were not received by the practitioner, Gerald Chan.
5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and

further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

Date: June 28, 2006

By:   
Gerald Chan

PRINTED ON: 6/20/2006

COUNTRY	US	UNITED STATES		TITLE		PRIOR	12/30/1998	
NEW/CON	NEW	SERIAL#	09/223,660	METHOD AND SYSTEM FOR DIAGNOSTIC PRESERVATION OF THE STATE OF A COMPUTER SYSTEM		MAIL	12/30/1998	
RELATED		PATENT#				FILE	12/30/1998	
TYPE	UTL	STATUS	PENDING			PUBL		
CLIENT	2021039	ORACLE CORPORATION		1	CREF	OID-1998-18-01	ISSUE	
AGENT					AREF		1ST	12/30/1998
							EXP	12/30/2018

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL UP	1	2	P
MS	N	MISSING PARTS	2/3/1999	2M	4/3/1999		4/3/1999	0	3/18/1999	0M	Y	Y	Y
NF	N	SEND P-1 TO CLIENT	12/30/1998	8M	8/30/1999		8/30/1999	0	11/23/1999	0M	Y	Y	Y
FE	N	SEND P-2 TO INTL	12/30/1998	261D	9/17/1999		9/17/1999	0	11/23/1999	0M	Y	Y	Y
RM	N	FOREIGN FILING REMIN	12/30/1998	9M	9/30/1999		9/30/1999	0	11/23/1999	0M	Y	Y	Y
ST	N	SEND P-4 TO CLIENT	12/30/1998	9M	9/30/1999		9/30/1999	0	11/23/1999	0M	Y	Y	Y
AU	N	SEND P-5 TO CLIENT	12/30/1998	10M	10/30/1999		10/30/1999	0	11/23/1999	0M	Y	Y	Y
	Y	NO FOREIGN FILING	11/23/1999								Y	Y	Y
P6	N	SEND P-6 TO INTL	12/30/1998	11M	11/30/1999		11/30/1999	0	11/23/1999	0M	Y	Y	Y
	Y	NO FOREIGN FILING	12/6/1999								Y	Y	Y
FU	N	CONV DEADLINE PA FF	12/30/1998	12M	12/30/1999		12/30/1999	0	11/23/1999	0M	Y	Y	Y
##	Y	CONFIRMATION NUMBER	12/18/2000								Y	Y	Y
1277													
AE	N	AMENDMENT DUE	6/8/2001	3M	9/8/2001		9/8/2001	0	9/10/2001	0M	Y	Y	Y
MK	Y	INCOMING MAIL (ATTY)	2/26/2002								Y	Y	Y
ADVISORY ACTION REC'D 3/4/02													
ML	Y	INCOMING MAIL	4/15/2002								Y	Y	Y
REPLACEMENT FILING RECEIPT REC'D 4/22/02													
RE	N	RESPONSE TO OA	5/6/2002	3M	8/6/2002	31	11/6/2002	3	7/5/2002	1M	Y	Y	Y
D/LINE 11/6/2002;													
AI	Y	ADVISORY ACTION	12/30/2002										
FR	N	FINAL REJECTION	10/1/2002	3M	1/1/2003	31	4/1/2003	0	12/2/2002	1M	Y	Y	Y
D/LINE 4/1/2003;													
AB	N	APPEAL BRIEF	1/31/2003	2M	3/31/2003	51	8/31/2003	1	4/3/2003	1M	Y	Y	Y
D/LINE 8/31/2003;													
NA	N	NOTICE OF APPEAL	10/1/2002	6M	4/1/2003		4/1/2003	0	1/31/2003	1M	Y	Y	Y
D/LINE 4/1/2003;													
OH	N	REQUEST ORAL HEARING	7/2/2003	2M	9/2/2003		9/2/2003	0	7/2/2003	1M	Y	Y	Y
NG	N	REPLY - NEW GROUNDS	7/2/2003	2M	9/2/2003		9/2/2003	0	8/27/2003	1M	Y	Y	Y
D/LINE 9/2/2003;													
NR	N	REPLY - NEW ARGUMENT	7/2/2003	2M	9/2/2003		9/2/2003	0	8/27/2003	1M	Y	Y	Y
D/LINE 9/2/2003;													
SC	N	STATUS CHECK	4/4/2003	6M	10/4/2003		10/4/2003	0	7/7/2003	1M	Y	Y	Y
Notice of Allowance.													

SC	N	STATUS CHECK	8/27/2003	20	M	4/27/2005		4/27/2005	0	3/28/2005	1	M	Y	Y	Y
REPLY BRIEF FILED; Reply brief acknowledgement mailed 9/29/03.															
NB	Y	NTC OF ABANDONMENT	2/27/2006												
SC	N	STATUS CHECK	3/24/2005	12	M	3/24/2006		3/24/2006	0	3/6/2006	1	M	Y	Y	Y
Decision on Appeal mailed 3/24/05. The rejection of claims 1-72 is reversed.															
RQ	N	REQ RECONSIDERATION	2/27/2006	2	M	4/27/2006		4/27/2006	0	4/13/2006	1	M	Y	Y	Y
Notice of Abandonment received 3/6/2006															
RQ	N	REQ RECONSIDERATION	5/24/2006	2	M	7/24/2006		7/24/2006	0		1	M	Y	Y	Y
Petition to Revive dismissed.															
SC	N	STATUS CHECK	4/13/2006	6	M	10/13/2006		10/13/2006	0	5/26/2006	1	M	Y	Y	Y
Petition to Revive, Issue Fee, and corrected drawings filed.															

<b>INVENTORS</b> LOAIZA JUAN R HU WEI MING	<b>ASSIGNEES</b> ORACLE INTERNATIONAL CORPORATION	<b>TERMS</b> REC'D: 03/25/1999 REEL: 9855 FRAME:0905-0907
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USER-DEFINABLE FIELDS		PATENT FIELDS	
SBST	237/117US	SMALL ENTITY	NO
SBDT	12/30/1998	CLAIMS	
PUBL#		PUBLICATION#	
		ART UNIT	
		EXAMINER	
		CONFIRM#	

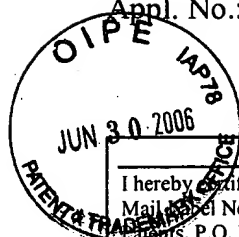
P02706US00 ENTERED 3/16/1999 MODIFIED 5/26/2006 BY EJF ATTORNEYS PCM / PCM / LAM

**NOTES**

RECORDATION DATE: 3/11/2003 - REEL/FRAME: 013797/0613; APPEAL #: 2004-0268;

Appl. No.: 09/223,660

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Name of Person Certifying: Cynthia Dawn

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Assignee: Oracle Corporation

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Title: Method and System for Diagnostic Preservation of the State of a Computer System

Examiner: Tim T. Vo

Group Art Unit: 1277

**RENEWED PETITION TO WITHDRAW HOLDING OF ABANDONMENT NO FEE  
REQUIRED PURSUANT TO 37 C.F.R. §1.137(a)**

Please deliver to Paul Shanowski  
C/O Office of Petitions  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This petition under 37 CFR §1.137(a) is to request withdrawal of the holding of abandonment, and reinstatement of the above-referenced patent application.

On May 26, 2006, the undersigned received a Decision on Petition, dismissing the petition filed April 13, 2006, under 37 C.F.R. §1.137(a), to revive the above-identified application.

On February 27, 2006, a notice of abandonment was mailed, stating that the above-identified application was abandoned due to "*Applicant's failure to timely file a proper reply to the Notice of Allowance and Issue Fee Due, mailed on July 12, 2005*". The notice of abandonment was received by Bingham McCutchen on March 8, 2006, as confirmed by the Bingham McCutchen the IP Docket Department stamp, attached as Attachment A hereto.

However, because the Notice of Allowance and Issue Fee Due was never actually received by Bingham McCutchen LLP, it is respectfully requested that the notice of abandonment be withdrawn, pursuant to MPEP §711.03(C) I.A. A declaration of the undersigned is submitted in support of this petition, together with a copy of the docket report for this application showing that the office action was never received.

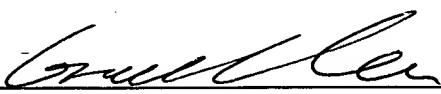
According to the Decision on Petition, the submitted drawings are not accepted. Applicant hereby submits corrected drawings.

Favorable action on this petition is respectfully requested.

Although no fee is believed to be required, the Commissioner is hereby authorized to charge any fee which may be required, or credit any overpayment to Deposit Account No. 50-2518.

DATE: June 28, 2006

Respectfully submitted,

By:   
Gerald Chan  
Registration No. 51,541

Bingham McCutchen LLP  
Three Embarcadero Center  
San Francisco, California 94111  
Telephone: (650) 849-4960  
Telefax: (650) 849-4800

Enclosures: 1) Notice of Abandonment  
2) Issue Fee Transmittal  
3) Corrected Drawings  
4) Declaration by Practitioner with copy of docket (Exhibit A)